IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION No.1800 of 2007

Ismail Hussenbasha Shaikh ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr A. Majeed Memon, Advocate,for the applicant.

Mr K. V. Saste, APP for the State.

CORAM: V.C. DAGA,J.
DATED: 8th August,2007.

P.C.:-

1. Heard learned counsel for the applicant and learned APP for the State.

2. Perused application and the material available on record.

3. The applicant is seeking anticipatory bail in C.R. No. 88 of 2007 registered with Solapur Taluka Police Station, for the offence punishable under Sections 397, 324, 323,and 427 of the I.P.C. read with Sections 3 and 7 of the Essential Commodities Act.

4. The applicant-accused is a kerosene dealer. Allegations against him made in the present C.R. on the basis of the statement made by one of the co-accused are that he sales kerosene in black market. Other than

this, no other adverse material is placed on record. The statement of the other co-accused is not only weak evidence but its admissibility itself is doubtful, at this stage.

5. In the above view of the matter, I am inclined to grant bail to the applicant in the sum of Rs.1,00,000/-with one or two sureties to make up the said amount on following terms and conditions:-

(a) that he should report to Solapur Taluka Police Station, once in a week i.e. on every Saturday between 3.00 to 5.00 p.m.

(b) the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(c) the applicant shall not pressurise witnesses and that he shall co-operate with the Investigating agency.

6. The applicant is put on notice that on a report by the State in violating any of the

conditions by him, mentioned herein, shall result in cancellation of this bail order.

7. This order of anticipatory bail shall remain in force till the filing of the charge sheet. It would be open for the applicant to apply for regular bail before the regular Court.

8. The application is allowed in the above terms.

(V.C. DAGA,J.)